

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22876 of 2019

Arising Out of PS. Case No.-221 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

1. SUDHIR KUMAR RAY, Male, aged about 46 years, Son of Upendra Narayan Ray R/O Shivpuri Colony, P.S.-Ishakchak, District- Bhagalpur
2. Shivranjan Kumar @ Shiv Rajan Kumar, Male, aged about 46 years, S/o Ishwar Yadav R/o Khutaha, P.S.- Lodipur, District- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Subodh Kumar Mishra, Advocate
For the Opposite Party	:	Mr.Uday Pratap Singh, APP
For the Informant	:	Mr. Ashutosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-07-2019 Heard learned counsel for the petitioners, learned counsel for the Informant and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 406, 420 and 120(B)/34 of the Indian Penal Code and Section 3 of the B.P.I.D. Act, 2013.

It is submitted that petitioner no.1 has already been arrested during pendency of this case. So petition stands dismissed with respect to petitioner no.1, namely, Sudhir Kumar Ray.

So far as petitioner no.2 is concerned, it is submitted



that petitioner is an agent-cum-trainer in Ramel Industries Company.

It is submitted on behalf of the petitioner that petitioner is a commission based agent-cum-trainer and has nothing to do with the affairs of the company. It is further submitted that no offence under Section 3 of the B.P.I.D is made out since the money is not in possession of the petitioner's account and moreover especially when investors have not come forward to lodge a case against the petitioner. It is further submitted that other similarly situated co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court in Cr.Misc. Nos.35754 of 2015 and 3742 of 2018.

Considering the facts aforesaid, let the petitioner, namely, Shivranjan Kumar @ Shiv Rajan Kumar, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur/successor Court in connection with Ishakchak P.S.Case No.221 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall



fully cooperate with the investigation and trial of the case,
failing which the court below shall be at liberty to cancel the
bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

B.Kr./-

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